

IC 33-24-2

Chapter 2. Retention of Justices

IC 33-24-2-1

Approval or rejection of justices

Sec. 1. Justices of the supreme court shall be approved or rejected by the electorate of the state under Article 7, Section 11 of the Constitution of the State of Indiana.

As added by P.L.98-2004, SEC.3.

IC 33-24-2-2

Justice's statement concerning retention

Sec. 2. A justice who wishes to be retained in office shall file a statement with the secretary of state, not later than noon July 15 of the year in which the question of retention of the justice is to be placed on the general election ballot, indicating that the justice wishes to have the question of the justice's retention placed on the ballot. The justice's statement must include a statement of the justice's name as:

- (1) the justice wants the justice's name to appear on the ballot; and
- (2) the candidate's name is permitted to appear on the ballot under IC 3-5-7.

As added by P.L.98-2004, SEC.3.

IC 33-24-2-3

Expiration of term if no statement filed

Sec. 3. This section applies to a justice:

- (1) who does not file a statement under section 2 of this chapter; and
- (2) whose term expires under Article 7, Section 11 of the Constitution of the State of Indiana during the year in which the question of the retention of the justice would have been placed on the general election ballot.

The term of a justice expires December 31 of the year in which the question of the justice's retention would have been placed on the ballot.

As added by P.L.98-2004, SEC.3.

IC 33-24-2-4

Expiration of term if retention is rejected

Sec. 4. This section applies to a justice:

- (1) who files a statement under section 2 of this chapter; and
- (2) whose retention is rejected by the electorate.

The term of a justice ends when the secretary of state issues a certificate under IC 3-12-5-1 stating that the justice has been removed. However, if the justice has filed a petition for a recount under IC 3-12-11, the term of the justice does not end until the state recount commission has issued a certificate under IC 3-12-11-18 stating that the electorate has rejected the retention of the justice.

As added by P.L.98-2004, SEC.3.

IC 33-24-2-5

Form of ballot for retention question

Sec. 5. The question of approval or rejection of a justice shall be placed on the general election ballot in the form prescribed by IC 3-11-2 and must state "Shall Justice (insert name (as permitted under IC 3-5-7) here) be retained in office?".

As added by P.L.98-2004, SEC.3.

IC 33-24-2-6

Name of justice on statement and voter registration record

Sec. 6. The statement filed under section 2 of this chapter must include a statement that the justice requests the name on the justice's voter registration record be the same as the name the justice uses on the statement. If there is a difference between the name on the justice's statement and the name on the justice's voter registration record, the officer with whom the statement is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the justice's voter registration record to be the same as the name on the justice's statement.

As added by P.L.98-2004, SEC.3.